



# Legislative Appropriations Request

For Fiscal Years 2020-2021

Submitted to the  
Office of the Governor, Budget Division,  
and the Legislative Budget Board

by

The Office of the State Prosecuting Attorney

July 27, 2018



**FY 2020-21 LEGISLATIVE APPROPRIATIONS REQUEST**  
**Office of the State Prosecuting Attorney**

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## **Administrator's Statement**

7/27/2018 9:34:44AM

86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

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### **213 Office of the State Prosecuting Attorney**

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First and foremost, the Office of State Prosecuting Attorney (OSPA) is grateful for the Legislature's support and funding so it can continue to successfully serve the citizens of Texas, prosecutors, and law enforcement. The OSPA also wishes to express appreciation to and support for the Judicial Compensation Commission and the Legislature's efforts to strengthen the justice system by increasing judicial salaries to attract and retain a strong judiciary. In furtherance of those efforts, the Office of the State Prosecuting Attorney supports the Comptroller, Judiciary Section's exceptional item to fund an increase in district judge compensation, which would also increase compensation for the appointed State Prosecuting Attorney.

#### **STATUTORY AUTHORITY AND ORGANIZATION**

The State Prosecuting Attorney (SPA) is appointed by the Court of Criminal Appeals (CCA) and is statutorily directed to represent the State in criminal cases in both the courts of appeals and the Texas Court of Criminal Appeals - the State's highest criminal court. See TEX. GOV'T CODE §§ 42.001, 42.005. The SPA has only two assistant prosecuting attorneys, see *id.*, and one administrative assistant.

#### **OSPA'S CRUCIAL ROLE IN THE DEVELOPMENT OF CRIMINAL JURISPRUDENCE**

The OSPA focuses on arguing for the strict adherence to Texas's criminal statutes and the proper application of constitutional law in a manner favorable to prosecutors and law enforcement statewide. This is achieved by filing petitions for discretionary review (PDRs) in the CCA that are precisely engineered to persuade the Court to resolve an important legal issue and ultimately rule in the State's favor. The OSPA, with its extensive knowledge of CCA precedent, institutional workings, and history, carefully selects cases to present after an intermediate court of appeals has overruled a motion to suppress denied by a trial court, reversed a conviction, sentence, or probation revocation, or set aside a fine or fee. So far, this biennium, the OSPA has filed 37 PDRs and 44 briefs (including an amicus brief in the Texas Supreme Court and briefs in the lower courts of appeals) and has reviewed over 400 appellate court decisions. Because OSPA has statewide jurisdiction, its caseload comes from both large and small counties. Smaller jurisdictions may not have the expertise or manpower to handle complex appellate issues in the CCA. And, though large jurisdictions do not have the same limitations, the OSPA collaborates with those counties to implement the best litigation strategy and develop a consistent position on far-reaching procedural and substantive issues. The OSPA's vigorous defense of the "Revenge Porn" statute from First Amendment challenges is a recent example. The OSPA also helps local prosecutors daily by giving legal advice and reviewing and editing PDRs and briefs.

#### **THE OSPA'S ECONOMICAL DELIVERY OF EXCEPTIONAL REPRESENTATION**

Eighty-nine percent (89%) of the OSPA's current \$428,127 budget is comprised of salaries. Thus, there is very little the SPA can do to reduce the nominal, but necessary, operating expenses. However, in the 2017-2018 biennium, the SPA reduced the OSPA's expenditures on continuing legal education, which is required annually for all attorneys. The OSPA attorneys have applied for and received scholarships from the State Bar to attend conferences requiring travel and, at the SPA's request, have been granted half-price registration fees by the University of Texas. Unfortunately, there is no guarantee that such cost-saving opportunities will be available in the future.

#### **A BUDGET REDUCTION WOULD DEVASTATE OSPA'S REPRESENTATION IN THE CRIMINAL JUSTICE SYSTEM**

Because only 11% of the budget is expenses, and those expenses have been reduced as much as possible, additional cuts must come from salaries. The proposed 10% reduction for the 2020-2021 biennium would require laying off the administrative assistant and salary cuts for both the SPA's assistant prosecuting attorneys. The OSPA's efficiency and distinguished legal service to the State would be seriously hampered. The SPA and two assistant prosecutors would have to assume all secretarial duties. Those duties include: answering the phone, sorting mail and email, filing PDRs and briefs, tracking all PDRs and briefs filed in the CCA, monitoring case dispositions in the CCA and courts of appeals, and assisting the SPA with state-mandated reporting, budgeting, record retention, planning, and public record disclosure. The loss of a secretary would significantly detract from the SPA's and her assistant's legal practice. Additionally, it may prompt the current, outstanding assistant prosecutors to seek employment with another entity that can match their pre-reduction salary. And, in the event of such a loss, it would be very difficult for the SPA to find equally talented replacements with the breadth of knowledge and experience required for the highly-specialized position, even at the current salaries.

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**213 Office of the State Prosecuting Attorney**

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**SALARY INCREASES FOR OSPA'S THREE NON-APPOINTED EMPLOYEES ARE STATISTICALLY JUSTIFIED**

The SPA requests a modest, but long-overdue, salary increase of 10% for the assistant prosecutors. Their current salary of \$105,066 has not been increased in over 10 years (save statewide increases and the 2013 salary restoration). The increase would raise the salary to \$115,572 per attorney. As shown below, the current salary does not coincide with salaries of other, similarly situated esteemed practitioners.

- a. The Bureau of Law Statistics' CPI Inflation Calculator provides that \$126,748, by today's standards, has the buying power that \$105,066, the assistants' current salaries, did in 2007.
- b. According to the Texas Workforce Commission, the current median annual wage for an experienced attorney in the Austin-Round Rock area is \$162,259. See <https://texaswages.com/MSAWages/MSASocDetails?soc=23-1011&wgeType=experience>.
- c. The State Bar of Texas' 2015 salary survey states that the median income for an appellate attorney in the Austin-Round Rock area is \$203,000. See [https://www.texasbar.com/AM/Template.cfm?Section=Demographic\\_and\\_Economic\\_Trends&Template=/CM/ContentDisplay.cfm&ContentID=34183](https://www.texasbar.com/AM/Template.cfm?Section=Demographic_and_Economic_Trends&Template=/CM/ContentDisplay.cfm&ContentID=34183).
- d. Finally, the SPA's own survey of first assistant district attorneys, criminal deputy chiefs, and appellate-head assistant district attorneys' salaries in the largest metro areas in Texas show salaries in the range of \$131,328 (Bexar) to \$211,559 (Dallas).

A 10% salary increase for the SPA's single administrative assistant is also needed. Thankfully, the Legislature's restoration of the mandatory 4% reduction during the 85th session enabled the SPA to retain her secretary. The unique boutique character of the OSPA means that the SPA serves as the Executive Director, CFO, CEO, COO, Human Resources Manager, Communications Manager, Open Records Coordinator, Media and Outreach Director, Legislative Affairs Chief, etc. The administrative assistant must support the SPA in all these diverse roles. The position also requires a working knowledge of the criminal justice system, case dispositions, some criminal appellate procedure, and the types of documents filed. The SPA is now on her third secretary for this biennium. So, it has been proven that the SPA's ability to keep talent has been difficult due to the sub-average salary. The increased salary would be \$33,000. As shown below, the current \$30,000 wage is not in accord with the average:

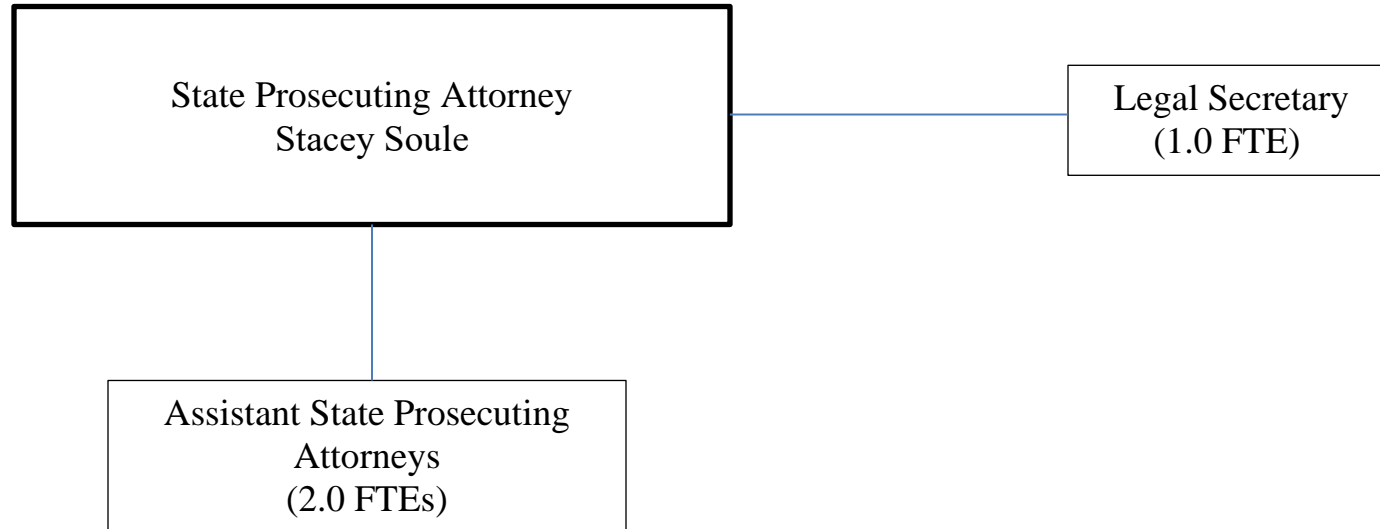
- a. According to the Texas Workforce Commission, the current median annual wage for a General Secretary or Administrative Assistant in the Austin-Round Rock area is \$33,834. See <https://texaswages.com/MSAWages> (SOC 43-6014).
- b. The U.S. Bureau of Labor's 2017 Occupational Employment Statistics provides that the mean wage for secretaries and administrative assistants is \$37,950, generally, \$41,030 for those in "local government," and \$36,860 in Texas, generally. See <https://www.bls.gov/oes/current/oes430000.htm>.

**CARRY-OVER AUTHORITY IS NEEDED**

Finally, the SPA asks to retain the authority to carry over unexpended balances within the biennium to ensure flexibility in its already tight budget.

# ORGANIZATIONAL CHART

## Office of the State Prosecuting Attorney





## CERTIFICATE

Agency Name Office of State Prosecuting Attorney

This is to certify that the information contained in the agency Legislative Appropriations Request filed with the Legislative Budget Board (LBB) and the Governor's Office Budget Division (Governor's Office) is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Governor's Office will be notified in writing in accordance with Article IX, Section 7.01 (2018-19 GAA).

### Chief Executive Officer or Presiding Judge

Stacy M. Soule  
Signature

Stacy M. Soule  
Printed Name

State Prosecuting Attorney  
Title

07/24/18  
Date

### Board or Commission Chair

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

### Chief Financial Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



## 213 Office of the State Prosecuting Attorney

Goal / Objective / STRATEGY	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<b>1</b> Representation of the State before the Court of Criminal Appeals					
<b>1</b> Representation of the State before the Court of Criminal Appeals					
<b>1 REPRESENTATION BEFORE CCA</b>	428,849	423,902	433,340	430,127	430,127
<b>TOTAL, GOAL 1</b>	<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>
<b>TOTAL, AGENCY STRATEGY REQUEST</b>	<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>
<b>TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*</b>				<b>\$0</b>	<b>\$0</b>
<b>GRAND TOTAL, AGENCY REQUEST</b>	<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>

**213 Office of the State Prosecuting Attorney**

<b>Goal / Objective / STRATEGY</b>	<b>Exp 2017</b>	<b>Est 2018</b>	<b>Bud 2019</b>	<b>Req 2020</b>	<b>Req 2021</b>
<u>METHOD OF FINANCING:</u>					
<b>General Revenue Funds:</b>					
1 General Revenue Fund	406,349	400,414	410,840	405,627	405,627
<b>SUBTOTAL</b>	<b>\$406,349</b>	<b>\$400,414</b>	<b>\$410,840</b>	<b>\$405,627</b>	<b>\$405,627</b>
<b>Other Funds:</b>					
666 Appropriated Receipts	0	988	0	2,000	2,000
777 Interagency Contracts	22,500	22,500	22,500	22,500	22,500
<b>SUBTOTAL</b>	<b>\$22,500</b>	<b>\$23,488</b>	<b>\$22,500</b>	<b>\$24,500</b>	<b>\$24,500</b>
<b>TOTAL, METHOD OF FINANCING</b>	<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>

\*Rider appropriations for the historical years are included in the strategy amounts.

**2.B. Summary of Base Request by Method of Finance**

7/27/2018 9:34:45AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>213</b>	Agency name: <b>Office of the State Prosecuting Attorney</b>				
METHOD OF FINANCING	Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<b><u>GENERAL REVENUE</u></b>					
<b><u>1</u></b> General Revenue Fund					
<i>REGULAR APPROPRIATIONS</i>					
Regular Appropriations from MOF Table (2016-17 GAA)	\$396,907	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2018-19 GAA)	\$0	\$405,627	\$405,627	\$0	\$0
Regular Appropriations from MOF Table (2020-21 GAA)	\$0	\$0	\$0	\$405,627	\$405,627
<i>TRANSFERS</i>					
Art IX, Sec 18.02, Salary Increase for General State Employees (2016-17 GAA)	\$6,743	\$0	\$0	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>					
Regular Appropriations from MOF Table (2016-17 GAA)	\$(152)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>					

**2.B. Summary of Base Request by Method of Finance**

7/27/2018 9:34:45AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>213</b>		Agency name: <b>Office of the State Prosecuting Attorney</b>				
METHOD OF FINANCING		Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<b><u>GENERAL REVENUE</u></b>						
Art IX, Sec 14.05, UB Authority within the Same Biennium (2016-17 GAA)		\$2,851	\$0	\$0	\$0	\$0
Art IX, Sec 14.05, UB Authority within the Same Biennium (2018-19 GAA)		\$0	\$(5,213)	\$5,213	\$0	\$0
<b>TOTAL,</b>	<b>General Revenue Fund</b>	<b>\$406,349</b>	<b>\$400,414</b>	<b>\$410,840</b>	<b>\$405,627</b>	<b>\$405,627</b>
<b>TOTAL, ALL</b>	<b>GENERAL REVENUE</b>	<b>\$406,349</b>	<b>\$400,414</b>	<b>\$410,840</b>	<b>\$405,627</b>	<b>\$405,627</b>

**OTHER FUNDS****666** Appropriated Receipts*REGULAR APPROPRIATIONS*

Regular Appropriations (2020-2021 GAA)

\$0	\$0	\$0	\$2,000	\$2,000
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*RIDER APPROPRIATION*

Art IX, Sec 8.02, Reimbursements and Payments (2018-19 GAA)

\$0	\$988	\$0	\$0	\$0
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**2.B. Summary of Base Request by Method of Finance**

7/27/2018 9:34:45AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>213</b>		Agency name: <b>Office of the State Prosecuting Attorney</b>				
METHOD OF FINANCING		Exp 2017	Est 2018	Bud 2019	Req 2020	Req 2021
<b><u>OTHER FUNDS</u></b>						
<b>TOTAL,</b>	<b>Appropriated Receipts</b>					
		<b>\$0</b>	<b>\$988</b>	<b>\$0</b>	<b>\$2,000</b>	<b>\$2,000</b>
<b><u>777</u></b>	Interagency Contracts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2016-17 GAA)					
		\$22,500	\$0	\$0	\$0	\$0
	Regular Appropriations from MOF Table (2018-19 GAA)					
		\$0	\$22,500	\$22,500	\$0	\$0
	Regular Appropriations from MOF Table (2020-21 GAA)					
		\$0	\$0	\$0	\$22,500	\$22,500
<b>TOTAL,</b>	<b>Interagency Contracts</b>	<b>\$22,500</b>	<b>\$22,500</b>	<b>\$22,500</b>	<b>\$22,500</b>	<b>\$22,500</b>
<b>TOTAL, ALL</b>	<b>OTHER FUNDS</b>	<b>\$22,500</b>	<b>\$23,488</b>	<b>\$22,500</b>	<b>\$24,500</b>	<b>\$24,500</b>
<b>GRAND TOTAL</b>		<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>

**2.B. Summary of Base Request by Method of Finance**

7/27/2018 9:34:45AM

86th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: <b>213</b>	Agency name: <b>Office of the State Prosecuting Attorney</b>				
<b>METHOD OF FINANCING</b>	<b>Exp 2017</b>	<b>Est 2018</b>	<b>Bud 2019</b>	<b>Req 2020</b>	<b>Req 2021</b>
<b>FULL-TIME-EQUIVALENT POSITIONS</b>					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2016-17 GAA)	4.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2018-19 GAA)	0.0	4.0	4.0	0.0	0.0
Regular Appropriations from MOF Table (2020-21 GAA)	0.0	0.0	0.0	4.0	4.0
<b>TOTAL, ADJUSTED FTES</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>

**2.C. Summary of Base Request by Object of Expense**

7/27/2018 9:34:45AM

86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)**213 Office of the State Prosecuting Attorney**

<b>OBJECT OF EXPENSE</b>	<b>Exp 2017</b>	<b>Est 2018</b>	<b>Bud 2019</b>	<b>BL 2020</b>	<b>BL 2021</b>
1001 SALARIES AND WAGES	\$357,204	\$378,420	\$388,846	\$383,633	\$383,633
1002 OTHER PERSONNEL COSTS	\$35,790	\$2,600	\$2,600	\$2,600	\$2,600
2001 PROFESSIONAL FEES AND SERVICES	\$0	\$25	\$0	\$0	\$0
2003 CONSUMABLE SUPPLIES	\$760	\$1,312	\$809	\$809	\$809
2004 UTILITIES	\$35	\$50	\$50	\$50	\$50
2005 TRAVEL	\$2,178	\$3,288	\$2,300	\$4,300	\$4,300
2007 RENT - MACHINE AND OTHER	\$1,090	\$1,090	\$1,090	\$1,090	\$1,090
2009 OTHER OPERATING EXPENSE	\$31,792	\$37,117	\$37,645	\$37,645	\$37,645
<b>OOE Total (Excluding Riders)</b>	<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>
<b>OOE Total (Riders)</b>					
<b>Grand Total</b>	<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>

**2.D. Summary of Base Request Objective Outcomes**

7/27/2018 9:34:45AM

86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation system of Texas (ABEST)**213 Office of the State Prosecuting Attorney**

Goal/ Objective / Outcome		Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
1	Representation of the State before the Court of Criminal Appeals					
	1 Representation of the State before the Court of Criminal Appeals					
KEY	1 Petitions for Discretionary Review Granted by the Ct Criminal Appeals					
		26.00	17.00	17.00	11.00	11.00



**2.E. Summary of Exceptional Items Request**  
86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/27/2018  
TIME : 9:34:45AM

Agency code: 213

Agency name: Office of the State Prosecuting Attorney

Priority	Item	2020			2021			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	Salary Increase	\$24,373	\$24,373		\$24,373	\$24,373		\$48,746	\$48,746
<b>Total, Exceptional Items Request</b>		<b>\$24,373</b>	<b>\$24,373</b>		<b>\$24,373</b>	<b>\$24,373</b>		<b>\$48,746</b>	<b>\$48,746</b>
<b>Method of Financing</b>									
	General Revenue	\$24,373	\$24,373		\$24,373	\$24,373		\$48,746	\$48,746
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		<b>\$24,373</b>	<b>\$24,373</b>		<b>\$24,373</b>	<b>\$24,373</b>		<b>\$48,746</b>	<b>\$48,746</b>

**2.F. Summary of Total Request by Strategy**  
86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/27/2018  
TIME : 9:34:45AM

Agency code: 213	Agency name: Office of the State Prosecuting Attorney					
Goal/Objective/STRATEGY	Base 2020	Base 2021	Exceptional 2020	Exceptional 2021	Total Request 2020	Total Request 2021
1 Representation of the State before the Court of Criminal Appeals						
1 Representation of the State before the Court of Criminal Appeals						
1 REPRESENTATION BEFORE CCA	\$430,127	\$430,127	\$24,373	\$24,373	\$454,500	\$454,500
TOTAL, GOAL 1	\$430,127	\$430,127	\$24,373	\$24,373	\$454,500	\$454,500
TOTAL, AGENCY STRATEGY REQUEST	\$430,127	\$430,127	\$24,373	\$24,373	\$454,500	\$454,500
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$430,127	\$430,127	\$24,373	\$24,373	\$454,500	\$454,500

**2.F. Summary of Total Request by Strategy**  
86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

DATE : 7/27/2018  
TIME : 9:34:45AM

Agency code: 213		Agency name: Office of the State Prosecuting Attorney					
Goal/Objective/STRATEGY		Base 2020	Base 2021	Exceptional 2020	Exceptional 2021	Total Request 2020	Total Request 2021
General Revenue Funds:							
1	General Revenue Fund	\$405,627	\$405,627	\$24,373	\$24,373	\$430,000	\$430,000
		\$405,627	\$405,627	\$24,373	\$24,373	\$430,000	\$430,000
Other Funds:							
666	Appropriated Receipts	2,000	2,000	0	0	2,000	2,000
777	Interagency Contracts	22,500	22,500	0	0	22,500	22,500
		\$24,500	\$24,500	\$0	\$0	\$24,500	\$24,500
TOTAL, METHOD OF FINANCING		\$430,127	\$430,127	\$24,373	\$24,373	\$454,500	\$454,500
FULL TIME EQUIVALENT POSITIONS		4.0	4.0	0.0	0.0	4.0	4.0

**2.G. Summary of Total Request Objective Outcomes**  
86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation system of Texas (ABEST)

Date : 7/27/2018

Time: 9:34:46AM

Agency code: **213**

Agency name: **Office of the State Prosecuting Attorney**

Goal/ Objective / Outcome

		<b>BL</b>	<b>BL</b>	<b>Excp</b>	<b>Excp</b>	<b>Total</b>	<b>Total</b>
		<b>2020</b>	<b>2021</b>	<b>2020</b>	<b>2021</b>	<b>Request</b>	<b>Request</b>
						<b>2020</b>	<b>2021</b>
1	Representation of the State before the Court of Criminal Appeals						
1	<i>Representation of the State before the Court of Criminal Appeals</i>						
<b>KEY</b>	<b>1 Petitions for Discretionary Review Granted by the Ct Criminal Appeals</b>						
		11.00	11.00			11.00	11.00

**Budget Overview - Biennial Amounts**  
**86th Regular Session, Agency Submission, Version 1**  
Automated Budget and Evaluation System of Texas (ABEST)

213 Office of the State Prosecuting Attorney  
Appropriation Years: 2020-21

	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2018-19	2020-21	2020-21
<b>Goal: 1. Representation of the State before the Court of Criminal Appeals</b>											
1.1.1. Representation Before Cca	811,254	811,254					45,988	49,000	857,242	860,254	48,746
<b>Total, Goal</b>	<b>811,254</b>	<b>811,254</b>					<b>45,988</b>	<b>49,000</b>	<b>857,242</b>	<b>860,254</b>	<b>48,746</b>
<b>Total, Agency</b>	<b>811,254</b>	<b>811,254</b>					<b>45,988</b>	<b>49,000</b>	<b>857,242</b>	<b>860,254</b>	<b>48,746</b>
<b>Total FTEs</b>									<b>4.0</b>	<b>4.0</b>	<b>0.0</b>

**213 Office of the State Prosecuting Attorney**

GOAL: 1 Representation of the State before the Court of Criminal Appeals  
OBJECTIVE: 1 Representation of the State before the Court of Criminal Appeals  
STRATEGY: 1 Representation of the State before the Court of Criminal Appeals

Service Categories:

Service: 01      Income: A.2      Age: B.3

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
<b>Output Measures:</b>						
KEY 1	Number of Briefs Filed in All Appellate Courts by the SPA	17.00	20.00	20.00	16.00	16.00
2	Number of Petitions for Discretionary Review Filed by the SPA	28.00	20.00	20.00	24.00	24.00
<b>Explanatory/Input Measures:</b>						
1	Number of Court of Criminal Appeals Cases Reviewed	40.00	110.00	110.00	128.00	128.00
2	Number of Court of Appeals Cases Reviewed	177.00	163.00	163.00	200.00	200.00
<b>Objects of Expense:</b>						
1001	SALARIES AND WAGES	\$357,204	\$378,420	\$388,846	\$383,633	\$383,633
1002	OTHER PERSONNEL COSTS	\$35,790	\$2,600	\$2,600	\$2,600	\$2,600
2001	PROFESSIONAL FEES AND SERVICES	\$0	\$25	\$0	\$0	\$0
2003	CONSUMABLE SUPPLIES	\$760	\$1,312	\$809	\$809	\$809
2004	UTILITIES	\$35	\$50	\$50	\$50	\$50
2005	TRAVEL	\$2,178	\$3,288	\$2,300	\$4,300	\$4,300
2007	RENT - MACHINE AND OTHER	\$1,090	\$1,090	\$1,090	\$1,090	\$1,090
2009	OTHER OPERATING EXPENSE	\$31,792	\$37,117	\$37,645	\$37,645	\$37,645
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>

**213 Office of the State Prosecuting Attorney**

GOAL: 1 Representation of the State before the Court of Criminal Appeals  
OBJECTIVE: 1 Representation of the State before the Court of Criminal Appeals  
STRATEGY: 1 Representation of the State before the Court of Criminal Appeals

Service Categories:

Service: 01      Income: A.2      Age: B.3

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
<b>Method of Financing:</b>						
1	General Revenue Fund	\$406,349	\$400,414	\$410,840	\$405,627	\$405,627
<b>SUBTOTAL, MOF (GENERAL REVENUE FUNDS)</b>		<b>\$406,349</b>	<b>\$400,414</b>	<b>\$410,840</b>	<b>\$405,627</b>	<b>\$405,627</b>
<b>Method of Financing:</b>						
666	Appropriated Receipts	\$0	\$988	\$0	\$2,000	\$2,000
777	Interagency Contracts	\$22,500	\$22,500	\$22,500	\$22,500	\$22,500
<b>SUBTOTAL, MOF (OTHER FUNDS)</b>		<b>\$22,500</b>	<b>\$23,488</b>	<b>\$22,500</b>	<b>\$24,500</b>	<b>\$24,500</b>
<b>TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)</b>					<b>\$430,127</b>	<b>\$430,127</b>
<b>TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)</b>		<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>		<b>4.0</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>

**STRATEGY DESCRIPTION AND JUSTIFICATION:**

The Office of the State Prosecuting Attorney (SPA) is statutorily authorized, either alone or with the assistance of local district and county attorneys, to represent the State in criminal cases in the fourteen courts of appeals and in the Court of Criminal Appeals. See Tex.Gov't Code §§ 42.001, 42.005.

**213 Office of the State Prosecuting Attorney**

GOAL:	1	Representation of the State before the Court of Criminal Appeals	
OBJECTIVE:	1	Representation of the State before the Court of Criminal Appeals	Service Categories:
STRATEGY:	1	Representation of the State before the Court of Criminal Appeals	Service: 01      Income: A.2      Age: B.3

CODE	DESCRIPTION	Exp 2017	Est 2018	Bud 2019	BL 2020	BL 2021
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**EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:**

The Office of the State Prosecuting Attorney is a small agency with highly specialized staff. The main factor that drives this strategy is the need to attract and retain highly knowledgeable attorneys to represent the State in the most important and complex criminal appellate cases.

**EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):**

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL CHANGE</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2018 + Bud 2019)</u>	<u>Baseline Request (BL 2020 + BL 2021)</u>		<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$857,242	\$860,254	\$3,012	\$3,012	Anticipated reimbursements for travel in 2020-2021 not received in the 2018-2019 biennium.
			<b>\$3,012</b>	<b>Total of Explanation of Biennial Change</b>



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**SUMMARY TOTALS:**

<b>OBJECTS OF EXPENSE:</b>	<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>
<b>METHODS OF FINANCE (INCLUDING RIDERS):</b>				<b>\$430,127</b>	<b>\$430,127</b>
<b>METHODS OF FINANCE (EXCLUDING RIDERS):</b>	<b>\$428,849</b>	<b>\$423,902</b>	<b>\$433,340</b>	<b>\$430,127</b>	<b>\$430,127</b>
<b>FULL TIME EQUIVALENT POSITIONS:</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>	<b>4.0</b>

**4.A. Exceptional Item Request Schedule**  
86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 7/27/2018  
TIME: 9:34:46AM

Agency code: 213

Agency name:

**Office of the State Prosecuting Attorney**

CODE	DESCRIPTION	Excp 2020	Excp 2021
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**Item Name:** Salary Increase for Assistant Attorneys and Administrative Assistant

**Item Priority:** 1

**IT Component:** No

**Anticipated Out-year Costs:** No

**Involve Contracts > \$50,000:** No

**Includes Funding for the Following Strategy or Strategies:** 01-01-01 Representation of the State before the Court of Criminal Appeals

**OBJECTS OF EXPENSE:**

1001	SALARIES AND WAGES	24,013	24,013
2009	OTHER OPERATING EXPENSE	360	360
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$24,373</b>	<b>\$24,373</b>

**METHOD OF FINANCING:**

1	General Revenue Fund	24,373	24,373
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$24,373</b>	<b>\$24,373</b>

**DESCRIPTION / JUSTIFICATION:**

1.Two Assistant State Prosecuting Attorneys: The assistant prosecutor salary has not been increased by the Legislature since the 2007 Professional Prosecutor's Act, notwithstanding the general, state-wide salary increases and 2013 salary restoration after the previous budget shortfall. Therefore, a 10% salary increase is requested. OSPA's work is highly specialized and requires extensive expertise in criminal law and appellate practice to prevail on discretionary review before the Court of Criminal Appeals.

2.Single Administrative Assistant: Expecting the 4% cut in the 85th session, to increase economic efficiency, the SPA reclassified this position to Administrative Assistant I from a legal secretary position. The budgeted salary for the position is \$30,000, which is below market value for the region and the OSPA's needs. A 10% salary increase is requested.

**EXTERNAL/INTERNAL FACTORS:**

1.Two Assistant State Prosecuting Attorneys: Being highly educated and skilled, the Assistant State Prosecuting Attorney positions are classified as General Counsel IV. Their current salaries sit at the lower end of salary group B29 (\$92,390-\$156,256). As provided in the statement above, the raise request accounts for the inflation rate, per the Bureau of Labor Statistics, and is supported by documentation from the Work Force Commission, the State Bar's 2015 survey of attorney salaries, and the SPA's own survey of assistant district attorneys' salaries from the large metro areas. An increase will help retain the current attorneys and attract qualified talent if needed.

2.Single Administrative Assistant: Though many of the administrative functions are common, the unparalleled role of the SPA requires the assistant to learn and understand an array of information. As shown in the statement above, a pay increase is supported by documentation from the Work Force Commission and the Bureau of Labor Statistics. The significantly lower administrative assistant salary has proven to put the SPA at a disadvantage in retaining its assistant and filling a vacancy.

**PCLS TRACKING KEY:**

Agency code: 213 Agency name: Office of the State Prosecuting Attorney

Code	Description	Excp 2020	Excp 2021
<b>Item Name:</b> Salary Increase for Assistant Attorneys and Administrative Assistant			
<b>Allocation to Strategy:</b> 1-1-1 Representation of the State before the Court of Criminal Appeals			
<b>OBJECTS OF EXPENSE:</b>			
1001	SALARIES AND WAGES	24,013	24,013
2009	OTHER OPERATING EXPENSE	360	360
<b>TOTAL, OBJECT OF EXPENSE</b>		<b>\$24,373</b>	<b>\$24,373</b>
<b>METHOD OF FINANCING:</b>			
1	General Revenue Fund	24,373	24,373
<b>TOTAL, METHOD OF FINANCING</b>		<b>\$24,373</b>	<b>\$24,373</b>

**4.C. Exceptional Items Strategy Request**  
86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

**DATE:** 7/27/2018  
**TIME:** 9:34:47AM

Agency Code: **213** Agency name: **Office of the State Prosecuting Attorney**

GOAL: 1 Representation of the State before the Court of Criminal Appeals

OBJECTIVE: 1 Representation of the State before the Court of Criminal Appeals

STRATEGY: 1 Representation of the State before the Court of Criminal Appeals

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Excp 2020	Excp 2021
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**OBJECTS OF EXPENSE:**

1001	SALARIES AND WAGES	24,013	24,013
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2009	OTHER OPERATING EXPENSE	360	360
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**Total, Objects of Expense**

<b>\$24,373</b>	<b>\$24,373</b>
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**METHOD OF FINANCING:**

1	General Revenue Fund	24,373	24,373
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**Total, Method of Finance**

<b>\$24,373</b>	<b>\$24,373</b>
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**EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:**

Salary Increase for Assistant Attorneys and Administrative Assistant

**6.A. Historically Underutilized Business Supporting Schedule**  
86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/27/2018  
Time: 9:34:47AM

Agency Code: 213      Agency: Office of the State Prosecuting Attorney

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

**A. Fiscal Year 2016 - 2017 HUB Expenditure Information**

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2016			Total Expenditures		HUB Expenditures FY 2017			Total Expenditures	
			% Actual	Diff	Actual \$	FY 2016	% Goal	% Actual	Diff	Actual \$	FY 2017	
11.2%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
21.1%	Building Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
32.9%	Special Trade	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
23.7%	Professional Services	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
26.0%	Other Services	0.0 %	0.0%	0.0%	\$0	\$1,794	0.0 %	0.0%	0.0%	\$0	\$2,145	
21.1%	Commodities	35.0 %	100.0%	65.0%	\$1,262	\$1,262	35.0 %	26.7%	-8.3%	\$1,224	\$4,591	
	<b>Total Expenditures</b>		<b>41.3%</b>		<b>\$1,262</b>	<b>\$3,056</b>		<b>18.2%</b>		<b>\$1,224</b>	<b>\$6,736</b>	

**B. Assessment of Fiscal Year 2016 - 2017 Efforts to Meet HUB Procurement Goals**

**Attainment:**

The agency attained or exceeded one of one, or 100.0%, of the applicable agency HUB procurement goals in fiscal year 2016. The agency attained or exceeded one of one, or 100.0%, of the applicable agency HUB procurement goals in fiscal year 2017.

**Applicability:**

The "Heavy Constructions", "Building Construction", "Special Trade", and "Professional Services" categories are not applicable to the agency operations in either fiscal year 2016 or 2017. Additionally, the agency does not procure services with the "Other Services" category except for items unavailable to be sourced through HUB vendors (e.g. computer-assisted legal and investigative research services on Texas Council on Competitive Government contracts, transcripts from court reporters, and State Bar of Texas training); therefore a HUB goal was not set in either fiscal year. If an unexpected need arises in any of these HUB categories, the agency will make a good-faith effort to meet or exceed the Statewide HUB Goal.

**Factors Affecting Attainment:**

The agency attained or exceeded all the HUB goals set for fiscal years 2016 and 2017.

**"Good-Faith" Efforts:**

Each year, the OSPA exceeds the Statewide goal in the "Commodities" category. OSPA will continue to make a good-faith effort to utilize HUBs by following the guidelines established under 34 TAC, Sec. 20.13(d) through the competitive bid process, promoting HUB subcontracting opportunities, and participating in HUB forums.

**6.E. Estimated Revenue Collections Supporting Schedule**  
86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: **213** Agency name: **Office of the State Prosecuting Attorney**

<b>FUND/ACCOUNT</b>	<b>Act 2017</b>	<b>Exp 2018</b>	<b>Exp 2019</b>	<b>Bud 2020</b>	<b>Est 2021</b>
<b><u>666</u> Appropriated Receipts</b>					
Beginning Balance (Unencumbered):	\$0	\$0	\$0	\$0	\$0
Estimated Revenue:					
3719 Fees/Copies or Filing of Records	0	138	0	0	0
3802 Reimbursements-Third Party	0	850	0	2,000	2,000
Subtotal: Actual/Estimated Revenue	0	988	0	2,000	2,000
<b>Total Available</b>	<b>\$0</b>	<b>\$988</b>	<b>\$0</b>	<b>\$2,000</b>	<b>\$2,000</b>
<b>DEDUCTIONS:</b>					
Expended/Budgeted/Requested	0	(988)	0	(2,000)	(2,000)
<b>Total, Deductions</b>	<b>\$0</b>	<b>\$(988)</b>	<b>\$0</b>	<b>\$(2,000)</b>	<b>\$(2,000)</b>
<b>Ending Fund/Account Balance</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**REVENUE ASSUMPTIONS:**

Third Party reimbursement estimates are based on historical expenses.

**CONTACT PERSON:**

Susana Kent

# 6.I. Percent Biennial Base Reduction Options

## 10 % REDUCTION

86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/27/2018  
Time: 9:34:51AM

Agency code: 213 Agency name: Office of the State Prosecuting Attorney

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	2020	2021	Biennial Total

### 1 Eliminate 1 FTE (1 of 4)

**Category:** Administrative - FTEs / Layoffs

**Item Comment:** A 10% reduction would require laying off the OSPA's only administrative assistant and salary cuts for the two assistant state prosecuting attorneys because salaries are 89% of the OSPA's budget. The other 11% used for basic operating expenses (e.g., phone, supplies, travel) cannot be further reduced. Consequently, the proposed incremental rates of reduction (concluding with the entire 10%) will not ease the OSPA in implementing such a significant displacement in general revenue funding.

Strategy: 1-1-1 Representation of the State before the Court of Criminal Appeals

#### General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$7,500	\$7,500	\$15,000
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,500</b>	<b>\$7,500</b>	<b>\$15,000</b>
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,500</b>	<b>\$7,500</b>	<b>\$15,000</b>

**FTE Reductions (From FY 2020 and FY 2021 Base Request)** **0.2** **0.2**

### 2 Eliminate 1 FTE (2 of 4)

**Category:** Administrative - FTEs / Layoffs

**Item Comment:** A 10% reduction would require laying off the OSPA's only administrative assistant and salary cuts for the two assistant state prosecuting attorneys because salaries are 89% of the OSPA's budget. The other 11% used for basic operating expenses (e.g., phone, supplies, travel) cannot be further reduced. Consequently, the proposed incremental rates of reduction (concluding with the entire 10%) will not ease the OSPA in implementing such a significant displacement in general revenue funding.

Strategy: 1-1-1 Representation of the State before the Court of Criminal Appeals

# 6.I. Percent Biennial Base Reduction Options

## 10 % REDUCTION

86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/27/2018  
Time: 9:34:51AM

Agency code: 213 Agency name: Office of the State Prosecuting Attorney

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	2020	2021	Biennial Total

### General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$7,500	\$7,500	\$15,000			
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,500</b>	<b>\$7,500</b>	<b>\$15,000</b>			
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,500</b>	<b>\$7,500</b>	<b>\$15,000</b>			
<b>FTE Reductions (From FY 2020 and FY 2021 Base Request)</b>					<b>0.3</b>	<b>0.3</b>			

### 3 Eliminate 1 FTE (3of 4)

Category: Administrative - FTEs / Layoffs

**Item Comment:** A 10% reduction would require laying off the OSPA's only administrative assistant and salary cuts for the two assistant state prosecuting attorneys because salaries are 89% of the OSPA's budget. The other 11% used for basic operating expenses (e.g., phone, supplies, travel) cannot be further reduced. Consequently, the proposed incremental rates of reduction (concluding with the entire 10%) will not ease the OSPA in implementing such a significant displacement in general revenue funding.

Strategy: 1-1-1 Representation of the State before the Court of Criminal Appeals

### General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$7,500	\$7,500	\$15,000			
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,500</b>	<b>\$7,500</b>	<b>\$15,000</b>			
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,500</b>	<b>\$7,500</b>	<b>\$15,000</b>			
<b>FTE Reductions (From FY 2020 and FY 2021 Base Request)</b>					<b>0.2</b>	<b>0.2</b>			



# 6.I. Percent Biennial Base Reduction Options

## 10 % REDUCTION

86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/27/2018  
Time: 9:34:51AM

Agency code: 213 Agency name: Office of the State Prosecuting Attorney

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	2020	2021	Biennial Total

### 4 Eliminate 1 FTE Part (4 of 4)

**Category:** Administrative - FTEs / Layoffs

**Item Comment:** A 10% reduction would require laying off the OSPA's only administrative assistant and salary cuts for the two assistant state prosecuting attorneys because salaries are 89% of the OSPA's budget. The other 11% used for basic operating expenses (e.g., phone, supplies, travel) cannot be further reduced. Consequently, the proposed incremental rates of reduction (concluding with the entire 10%) will not ease the OSPA in implementing such a significant displacement in general revenue funding.

Strategy: 1-1-1 Representation of the State before the Court of Criminal Appeals

#### General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$7,500	\$7,500	\$15,000
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,500</b>	<b>\$7,500</b>	<b>\$15,000</b>
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,500</b>	<b>\$7,500</b>	<b>\$15,000</b>

**FTE Reductions (From FY 2020 and FY 2021 Base Request)** **0.3** **0.3**

### 5 Reduce Salaries (1 of 4)

**Category:** Administrative - FTEs / Layoffs

**Item Comment:** A 10% reduction would require laying off the OSPA's only administrative assistant and salary cuts for the two assistant state prosecuting attorneys because salaries are 89% of the OSPA's budget. The other 11% used for basic operating expenses (e.g., phone, supplies, travel) cannot be further reduced. Consequently, the proposed incremental rates of reduction (concluding with the entire 10%) will not ease the OSPA in implementing such a significant displacement in general revenue funding.

Strategy: 1-1-1 Representation of the State before the Court of Criminal Appeals

# 6.I. Percent Biennial Base Reduction Options

## 10 % REDUCTION

86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/27/2018  
Time: 9:34:51AM

Agency code: 213 Agency name: Office of the State Prosecuting Attorney

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	2020	2021	Biennial Total

### General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$2,641	\$2,641	\$5,282			
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,641</b>	<b>\$2,641</b>	<b>\$5,282</b>			
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,641</b>	<b>\$2,641</b>	<b>\$5,282</b>			

### FTE Reductions (From FY 2020 and FY 2021 Base Request)

#### 6 Reduce Salaries (2 of 4)

Category: Administrative - FTEs / Layoffs

**Item Comment:** A 10% reduction would require laying off the OSPA's only administrative assistant and salary cuts for the two assistant state prosecuting attorneys because salaries are 89% of the OSPA's budget. The other 11% used for basic operating expenses (e.g., phone, supplies, travel) cannot be further reduced. Consequently, the proposed incremental rates of reduction (concluding with the entire 10%) will not ease the OSPA in implementing such a significant displacement in general revenue funding.

Strategy: 1-1-1 Representation of the State before the Court of Criminal Appeals

### General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$2,641	\$2,641	\$5,282			
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,641</b>	<b>\$2,641</b>	<b>\$5,282</b>			
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,641</b>	<b>\$2,641</b>	<b>\$5,282</b>			

### FTE Reductions (From FY 2020 and FY 2021 Base Request)

## 6.I. Percent Biennial Base Reduction Options

### 10 % REDUCTION

86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/27/2018  
Time: 9:34:51AM

Agency code: 213 Agency name: Office of the State Prosecuting Attorney

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	2020	2021	Biennial Total

#### 7 Reduce Salaries (3 of 4)

**Category:** Administrative - FTEs / Layoffs

**Item Comment:** A 10% reduction would require laying off the OSPA's only administrative assistant and salary cuts for the two assistant state prosecuting attorneys because salaries are 89% of the OSPA's budget. The other 11% used for basic operating expenses (e.g., phone, supplies, travel) cannot be further reduced. Consequently, the proposed incremental rates of reduction (concluding with the entire 10%) will not ease the OSPA in implementing such a significant displacement in general revenue funding.

Strategy: 1-1-1 Representation of the State before the Court of Criminal Appeals

#### General Revenue Funds

1 General Revenue Fund	\$0	\$0	\$0	\$2,641	\$2,640	\$5,281
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,641</b>	<b>\$2,640</b>	<b>\$5,281</b>
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,641</b>	<b>\$2,640</b>	<b>\$5,281</b>

#### FTE Reductions (From FY 2020 and FY 2021 Base Request)

#### 8 Reduce Salaries (4 of 4)

**Category:** Administrative - FTEs / Layoffs

**Item Comment:** A 10% reduction would require laying off the OSPA's only administrative assistant and salary cuts for the two assistant state prosecuting attorneys because salaries are 89% of the OSPA's budget. The other 11% used for basic operating expenses (e.g., phone, supplies, travel) cannot be further reduced. Consequently, the proposed incremental rates of reduction (concluding with the entire 10%) will not ease the OSPA in implementing such a significant displacement in general revenue funding.

Strategy: 1-1-1 Representation of the State before the Court of Criminal Appeals

**6.I. Percent Biennial Base Reduction Options**

**10 % REDUCTION**

86th Regular Session, Agency Submission, Version 1  
Automated Budget and Evaluation System of Texas (ABEST)

Date: 7/27/2018  
Time: 9:34:51AM

Agency code: 213    Agency name: Office of the State Prosecuting Attorney

Item Priority and Name/ Method of Financing	REVENUE LOSS			REDUCTION AMOUNT			PROGRAM AMOUNT		TARGET
	2020	2021	Biennial Total	2020	2021	Biennial Total	2020	2021	Biennial Total
<u>General Revenue Funds</u>									
1 General Revenue Fund	\$0	\$0	\$0	\$2,640	\$2,640	\$5,280			
<b>General Revenue Funds Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,640</b>	<b>\$2,640</b>	<b>\$5,280</b>			
<b>Item Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,640</b>	<b>\$2,640</b>	<b>\$5,280</b>			
<b>FTE Reductions (From FY 2020 and FY 2021 Base Request)</b>									
<b>AGENCY TOTALS</b>									
General Revenue Total				\$40,563	\$40,562	\$81,125			\$81,125
Agency Grand Total	\$0	\$0	\$0	\$40,563	\$40,562	\$81,125			\$81,125
<b>Difference, Options Total Less Target</b>									
Agency FTE Reductions (From FY 2020 and FY 2021 Base Request)				1.0	1.0				
<b>Article Total</b>				<b>\$40,563</b>	<b>\$40,562</b>	<b>\$81,125</b>			
<b>Statewide Total</b>				<b>\$40,563</b>	<b>\$40,562</b>	<b>\$81,125</b>			